

363

CITY COUNCIL
REGULAR CITY COUNCIL MEETING
CARNEGIE FORUM, 305 WEST PINE STREET
WEDNESDAY, APRIL 5, 1995
7:00 P.M.

1. ROLL CALL

Present: Council Members - Davenport, Pennino, Sieglock, Warner and Mann (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Assistant City Manager Glenn, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney McNatt and Acting City Clerk Taylor

2. INVOCATION

The invocation was given by Pastor Jonathan Merica, Providence Reformed Church

3. PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Mann.

4. AWARDS / PROCLAMATIONS / PRESENTATIONS

- a) Mayor Mann presented a proclamation to Fire Chief Hank Howard proclaiming the month of April, 1995 as "Earthquake Preparedness Month". Chief Howard announced the week of April 1-8, 1995 is "Government and Emergency Services Preparedness Week" and fire department personnel will continue to coordinate activities throughout the month of April in order to focus on preparation for emergency situations.
- b) Mayor Mann introduced Fire Engineer Jack Casey as recipient of the "1994 Firefighter of the Year" award, and presented him with a proclamation announcing the honor. Mayor Mann further presented a plaque and pen and pencil set to Mr. Casey on behalf of Fire Chief Howard and the Fire Department.
- c) Mayor Mann presented a proclamation for Pastor Bill Sherrill announcing his honor in achieving Lodi Police Department's "1994 Volunteer of the Year" award. Police Chief Larry Hansen accepted the proclamation on behalf of Pastor Sherrill.
- d) Mayor Mann presented a proclamation to Police Records Clerk III Marlene Burton-Knapp honoring her achievement as recipient of Lodi Police Department's "1994 Employee of the Year" award.
- e) Mayor Mann presented a proclamation to Police Officer Bryan Noblett, recipient of the Lodi Police Department's "1994 Officer of the Year" award, and congratulated him on his achievement.
- f) Dave Vaccarezza, President of the United Way Campaign of Lodi, presented Mayor Mann with a plaque received by the San Joaquin County United Way, awarding their efforts in meeting and exceeding fund raising goals.

FILE NO. CC-37

364

April 5, 1995 Continued

5. CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Sieglock, Warner second, approved the following items hereinafter set forth **except those otherwise noted:**

- a) Claims were approved in the amount of \$2,140,420.54.
FILE NO. CC-21(a)
- b) The Minutes of March 15, 1995 (Regular Meeting) were approved as written.
- c) Received the Memorandum of Understanding between the City of Lodi and the International Brotherhood of Electrical Workers (IBEW) Local 1245 for the period of January 1, 1995 to the end of the pay period in which January 1, 1998 falls, and further adopted salary schedules including a retroactive salary adjustment for represented employees to January 2, 1995.
FILE NO. CC-129
- d) Awarded the contract for audit services to KPMG Peat Marwick LLP and authorized the Mayor to execute the agreement on behalf of the City.
FILE NO. CC-12(a), CC-21(a) and CC-90
- e) Agenda Item #E-5 entitled, "Approve 1995-96 Community Development Block Grant (CDBG) Allocations" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Sieglock)
- f) Agenda Item #E-6 entitled, "Introduce Ordinance Rezoning the California Waste Removal Reorganization, a 10.01 Acre Parcel Located East of the Eastern Terminus of East Turner Road (APN 049-080-73) to M-2, Heavy Industrial" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Mann)
- g) Agenda Item #E-7 entitled, "Consider Initiating the Annexation/Reorganization Proceeding for the California Waste Removal Reorganization, a 10.01 Acre Parcel Located East of the Eastern Terminus of East Turner Road (APN 049-080-73)" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Mann)
- h) Agenda Item #E-8 entitled, "Purchase of a Computer Voice Stress Analyzer and Training for Five Police Officers as Certified Examiners" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Davenport)
- i) Agenda Item #E-9 entitled, "Urgency Ordinance Amending Chapter 2.24 of the Lodi Municipal Code by Adding a Section Relating to Standards and Training for Corrections for Eligibility for State Funding" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Davenport)
- j) Agenda Item #E-10 entitled, "Specifications and Advertisement for Bids for Communications Radios for Police Department" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Davenport)

365

- k) Agenda Item #E-11 entitled, "Bid Award for Printed Utility Bills, 1995 Requirements (\$6,691.28)" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Davenport)
- l) Agenda Item #E-12 entitled, "Contract Award for Water Well No. 1 Abandonment, 230 1/2 East Lodi Avenue (\$8,900)" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Davenport)
- m) Agenda Item #E-13 entitled, "Purchase of Fire Department Sedan (\$25,950)" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Mann)
- n) Authorized replacement of the wastewater main at 728 South Sacramento Street directed the Public Works Director to relocate the public utilities easement for the main.
FILE NO. CC-51(c)
- o) Agenda Item #E-15 entitled, "Contract Award for Blakely Park Pool Resurfacing, 1050 South Stockton Street (\$32,000)" was removed from the Consent Calendar and discussed and acted upon following approval of the Consent Calendar. (Removed by Council Member Davenport)
- p) Adopted Resolution No. 95-42 awarding the contract for Well 16 Removal and Replacement of Spent Carbon, 1426 West Century Boulevard, to Northwestern Carbon of Redding in the amount of \$38,940.
FILE NO. CC-12(a), CC-183(b) and CC-300
- q) Adopted Resolution No. 95-43 granting City Attorney's Department permission to destroy certain records, in excess of three years of age, including City Attorney memos, correspondence and claims dated 1979 - 1991.
FILE NO. CC-6 and CC-300

6. ITEMS PULLED FROM CONSENT CALENDAR

- a) Council, on motion of Council Member Sieglock, Warner second, unanimously adopted staff recommendations (with Council revisions from public hearing of March 15, 1995) for the 1995-96 Community Development Block Grant (CDBG), allocating an estimated \$784,000 in funds.
FILE NO. CC-55
- b) Council, on motion of Council Member Sieglock, Pennino second, introduced Ordinance #1610 entitled "An Ordinance of the Lodi City Council Amending the Official District Map of the City of Lodi and Thereby Prezoning the Parcel at the Eastern Terminus of East Turner Road (APN 049-080-73) M-2, Heavy Industrial" (approved by motion action on March 15, 1995, but a prezoning requires introduction/adoption of an ordinance) by the following vote:

Ayes: Council Members - Davenport, Pennino, Sieglock and Mann (Mayor)
Noes: Council Members - None
Absent: Council Members - None
Abstain: Council Members - Warner

FILE NO. CC-8, CC-53(a) and CC-149

- c) Council, on motion of Council Member Sieglock, Pennino second, adopted Resolution No. 95-37 initiating the annexation/reorganization proceeding for the California Waste Removal Reorganization, a 10.01 acre parcel located east of the eastern terminus of East Turner Road (APN 039-080-73) by the following vote:

Ayes: Council Members - Davenport, Pennino, Sieglock and Mann (Mayor)
Noes: Council Members - None
Absent: Council Members - None
Abstain: Council Members - Warner

FILE NO. CC-8(a) and CC-300

- d) Council, on motion of Council Member Pennino, Warner second, approved Lodi Police Department's purchase of a Computer Voice Stress Analyzer (CVSA) and training of five police officers as certified examiners for this instrument, and further approved allocation of Auto Theft Enhancement Funds in the amount of \$12,810 by the following vote:

Ayes: Council Members - Pennino, Sieglock, Warner and Mann (Mayor)
Noes: Council Members - Davenport
Absent: Council Members - None

FILE NO. CC-21(a), CC-152 and CC-181

- e) Council, on motion of Council Member Mann, Warner second, unanimously adopted Urgency Ordinance No. 1611 entitled, "An Urgency Ordinance of the City Council of the City of Lodi Amending Chapter 2.24 of the Lodi Municipal Code by Adding Thereto Section 2.24.030, Relating to Standards and Training for Corrections", allowing Lodi Police Department to apply for State Jail Training reimbursement funds for travel, tuition and per diem costs incurred annually for correctional training.

FILE NO. CC-152 and CC-159

- f) Council, on motion of Council Member Mann, Sieglock second, approved specifications and authorized the advertisement for bids for six Motorola communications radios and related equipment for use by the Police Department's Operations Units by the following vote:

Ayes: Council Members - Pennino, Sieglock, Warner and Mann (Mayor)
Noes: Council Members - Davenport
Absent: Council Members - None

FILE NO. CC-83 and CC-152

- g) Council, on motion of Council Member Pennino, Sieglock second, unanimously adopted Resolution No. 95-38 awarding bid for the purchase of 300,000 City utility bill forms and 25,000 delinquent utility bill forms to the low bidder, Vanier of Stockton, in the amount of \$6,691.28.

FILE NO. CC-12(d), CC-47, CC-159 and CC-300

- h) Council, on motion of Council Member Pennino, Sieglock second, adopted Resolution No. 95-39 awarding the contract for Water Well No. 1 Abandonment, 230 1/2 East Lodi Avenue to Hawk Systems of Modesto in the amount of \$8,900 by the following vote:

Ayes: Council Members - Pennino, Sieglock, Warner and Mann (Mayor)
Noes: Council Members - Davenport
Absent: Council Members - None

FILE NO. CC-12(c), CC-183(a) and CC-300

- i) Council, on motion of Council Member Davenport, Sieglock second, unanimously adopted Resolution No. 95-40 authorizing purchase of a sedan for the Fire Department from Downtown Ford of Sacramento in the amount of \$20,448.80 and further authorizing the expenditure of \$5,500 for emergency equipment and accessories.
FILE NO. CC-12(d), CC-21(a), CC-47, CC-112 and CC-300
- j) Council, on motion of Council Member Sieglock, Pennino second, unanimously adopted Resolution No. 95-41 awarding the contract for Blakely Park Pool Resurfacing, 1050 South Stockton Street to Aqua Pools of Ripon in the amount of \$32,000.
FILE NO. CC-12(a), CC-27(c) and CC-300

7. PUBLIC HEARINGS

- a) Notice thereof having been published according to law, an affidavit of which publication is on file in the office of the City Clerk, Mayor Mann called for the Public Hearing to consider amending Sewer Ordinance (Lodi Municipal Code Chapter 13.12, Sewer Service)

Hearing Opened to the Public

- 1. There was no one wishing to speak on the matter.

Public Portion of Hearing Closed

ACTION:

Council, on motion of Council Member Sieglock, Davenport second, introduced revisions to Lodi Municipal Code Chapter 13.12, Sewer Service to comply with regulations of EPA and the Regional Water Quality Control Board, and further designated said document as Ordinance #1613 entitled, "An Ordinance of the City of Lodi Repealing Chapter 13.12 of the Lodi Municipal Code as Currently Enacted, and reenacting This Title Relating to Sewer Service" by the following vote:

Ayes: Council Members - Davenport, Pennino, Sieglock, Warner and Mann (Mayor)
Noes: Council Members - None
Absent: Council Members - None

FILE NO. CC-14(c), CC-44, CC-51(f) and CC-149

8. COMMUNICATIONS (CITY CLERK)

- a) On recommendation of the City Attorney and the City's contract administrator, Insurance Consulting Associates, Inc. (ICA), the City Council, on motion of Council Member Pennino, Mann second, unanimously rejected the following claims and referred them back to ICA:
 - 1. Edward Marke, date of loss 3/10/95
 - 2. Steven McFadden, date of loss 2/15/95
FILE NO. CC-4(c)
- b) Acting City Clerk Taylor read the following ABC Licenses:
 - 1. Carlos Ibarra and Gloria Olivarez, Antonio's, 710 South Beckman Road, Suite A, On Sale General, Person to Person Transfer and Premise to Premise Transfer

368

April 5, 1995 Continued

2. Amrik Singh, AJK, Inc., 1225 West Lockeford Street, Off Sale General, Reduced Fee Transfer
3. Rick Anthony Darone, Tonys Pizzeria, 514 West Lodi Avenue, On Sale Beer and Wine, Original License
4. Brian Horst, Michael Solari and Shelley Solari, Lodi Avenue Discount Liquors, 1000 West Lodi Avenue, Off Sale General, Premise to Premise Transfer
5. Anthony J. Lopresti, Maria Lopresti, Pietro Lopresti, Maria's Italian Specialties, 840 West Lodi Avenue, On Sale Beer and Wine, Original License
6. Cottage Bakery Retail, Inc., Cottage Bakery, 230 South School Street, On Sale Beer and Wine, Original License
FILE NO. CC-7(f)

c) The following reports were presented to the City Council:

1. Planning Commission report of March 13, 1995
2. Planning Commission report of March 27, 1995
 - a) Council, on motion of Council Member Pennino, Sieglock second, unanimously set a public hearing for May 3, 1995 to discuss amending Chapter 17.60 of the Lodi Municipal Code by adding a new section thereto relating to parking in front and side yard setbacks.

FILE NO. CC-35(c) and CC-150

d) Council, on motion of Council Member Mann, Sieglock second, unanimously directed the City Clerk to post for the following vacancies on the East Side Improvement Committee (it was noted for the record that Mr. Saylor and Ms. Mounce seek reappointment to serve, and that the committee supports the reappointment of both members):

East Side Improvement Committee (ESIC)

Clay Saylor
Joanne Mounce
Anthony Canton

FILE NO. CC-2(s) and CC-6

9. REGULAR CALENDAR

- a) Council, on motion of Council Member Pennino, Warner second, unanimously adopted Resolution No. 95-44 approving the creation of a Joint Powers Agency for the San Joaquin County Regional Rail Commission.

Further, Council, on motion of Council Member Davenport, Warner second, unanimously designated Council Member Phillip Pennino as the City's representative to the Joint Powers Agency for the San Joaquin County Regional Rail Commission.
FILE NO. CC-6, CC-7(h) and CC-300

- b) Council, on motion of Council Member Davenport, Warner second, introduced Ordinance No. 1612 entitled, "An Ordinance of the City Council of the City of Lodi Adding to the Lodi Municipal Code Section 15.04.055 Relating to Special Inspections: Downtown Business District" by the following vote:

Ayes: Council Members - Davenport, Pennino, Sieglock, Warner and Mann (Mayor)

Noes: Council Members - None

Absent: Council Members - None

FILE NO. CC-56, CC-69, CC-72 and CC-149

- c) Council, on motion of Council Member Davenport, Warner second, unanimously authorized expenditure of funds in the amount of \$6,770 for a professional service contract to address concept design, cost estimates and Parks and Recreation Master Plan in consideration of reusing the Main Street Fire Station.

Speaking in support of renovating the Main Street Fire Station were Lyn Benbrook and Maria Serna of the Historical Society.

FILE NO. CC-2(h), CC-40 and CC-88

- d) Council, on motion of Council Member Pennino, Warner second, unanimously adopted Resolution No. 95-45 delegating to the Planning Director for the City of Lodi the responsibility for determining the public convenience and necessity of alcoholic beverage licensing applications.

FILE NO. CC-6, CC-7(d), CC-91 and CC-300

- e) Council, on motion of Council Member Warner, Sieglock second, confirmed the administrative fees and costs associated with abatement of nuisances at 517 and 519 East Hilborn Street, constituting a special assessment against the property and, upon recordation in the office of the county recorder of a notice of lien, the City shall constitute a lien on said property, by the following vote:

Ayes: Council Members - Davenport, Sieglock, Warner and Mann (Mayor)

Noes: Council Members - None

Absent: Council Members - Pennino

FILE NO. CC-56 and CC-146

10. RECESS

Mayor Mann declared a ten minute recess and the City Council meeting reconvened at approximately 8:52 p.m.

370

April 5, 1995 Continued

11. REGULAR CALENDAR (Continued)

- f) Council, on motion of Council Member Sieglock, Warner second, adopted Resolution No. 95-46 setting pet license fees and other animal control fees as recommended by staff, effective July of 1995, with the following provisions;
- 1) *Pet License Fees:* require licensing of grandfathered in pigs and follow Fee Schedule Option #2
 - 2) *Other Fees:* exclude pet store permits and follow Fee Schedule Option #1
 - 3) *Pound Fees:* follow Fee Schedule Option #1

by the following vote:

Ayes: Council Members - Pennino, Sieglock and Warner
 Noes: Council Members - Davenport and Mann (Mayor)
 Absent: Council Members - None

FILE NO. CC-21(a), CC-56, CC-65 and CC-300

- g) Council Member Davenport motioned, Warner seconded that Finance Department be authorized to move forward with a two year pilot program to allow City utility customers to donate \$1 and up in even dollar amounts per month to "Reach" and to the Lodi Unified School District for classroom computers and educational activities (the donation to be split 50/50), with additional language to stipulate a residency requirement of 6 months, and after discussion, the motion was revised to require language to include a residency requirement of 12 months. Following further discussion, Council Member Warner withdrew his second and the motion died for lack of a second.

Council, on motion of Council Member Sieglock, Pennino second, authorized the Finance Department to move forward with a two year pilot program to allow City utility customers to donate \$1 and up in even dollar amounts per month to "Reach" and to a City of Lodi program (the donation to be split 50/50); and further, the program shall include 12 month residency requirement language, return to Council for final approval, and be effective January, 1996, by the following vote:

Ayes: Council Members - Pennino, Sieglock, Warner and Mann (Mayor)
 Noes: Council Members - Davenport
 Absent: Council Members - None

FILE NO. CC-21(a) and CC-104

- h) Council Member Davenport made a motion to authorize the Finance Department to conduct a three year pilot program to grant a vacation credit of 75% for residential utility customers for garbage, water and sewer service when absent for not less than 30 days nor more than 90 days per year, which died for lack of a second.

Further, Council Member Davenport motioned, Mann seconded, authorizing the Finance Department to conduct a three year pilot program to grant a vacation credit of 50% for residential utility customers for garbage, water and sewer service when absent for not less than 30 days nor more than 90 days per year, which **failed** by the following vote:

Ayes: Council Members - Davenport and Mann (Mayor)
 Noes: Council Members - Pennino, Sieglock and Warner
 Absent: Council Members - None

Walter Pruss, 2421 Diablo Drive, Lodi, voiced concern over the City of Lodi's control and monitoring of the program.

371

- i) Agenda item #H-9 entitled "Request of Lodi District Chamber of Commerce for Funding for Lodi Conference and Visitors Bureau" was pulled from the regular calendar at staff's request.
- j) Council, on motion of Council Member Pennino, Sieglock second, unanimously adopted Resolution No. 95-47 awarding the contract for Transit Administration Offices, 115 North Pleasant Avenue, to Wall Construction of Modesto in the amount of \$21,000.
FILE NO. CC-12(c), CC-50(a) and CC-300
- k) Council, on motion of Council Member Sieglock, Warner second, adopted Resolution No. 95-48 updating and revising the City's Curb, Gutter and Sidewalk Repair policy, with the addition of appeals process language, by the following vote:

Ayes: Council Members - Pennino, Sieglock, Warner and Mann (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None

FILE NO. CC-45(e) and CC-300

12. RECESS

Mayor Mann declared a ten minute recess and the City Council meeting reconvened at approximately 10:40 p.m.

13. REGULAR CALENDAR (Continued)

- l) Council, on motion of Council Member Pennino, Sieglock second, directed staff to proceed with the public hearing of April 19, 1995 relating to possible implementation of a water rate increase, and further directed staff to explore the possibility of using in-house rate analysts and other rate analyst options for future Council consideration, by the following vote:

Ayes: Council Members - Davenport, Pennino, Sieglock and Warner

Noes: Council Members - Mann (Mayor)

Absent: Council Members - None

FILE NO. CC-183(e)

14. VOTE TO CONTINUE WITH REMAINDER OF MEETING FOLLOWING 11 PM HOUR

The City Council, on motion of Council Member Warner, Davenport second, unanimously determined it would continue with the remainder of the meeting following the 11:00 p.m. hour.

15. REGULAR CALENDAR (Continued)

- m) Council, on motion of Council Member Sieglock, Davenport second, directed staff to renegotiate the existing contract for radio maintenance with Motorola for an extension period of one year by the following vote:

Ayes: Council Members - Pennino, Sieglock, Warner and Mann (Mayor)

Noes: Council Members - Davenport

Absent: Council Members - None

FILE NO. CC-6, CC-83 and CC-90

- n) Council, on motion of Council Member Sieglock, Warner second, unanimously tabled discussion of regular calendar item #H-14 entitled "Charter City Status Review" due to the lateness of the hour, and directed staff to bring this item back for presentation and discussion at a future shirtsleeve session.

16. ORDINANCES

None.

17. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Oskar A. Johanson, 105 Rivergate Place, Lodi, told Council of his move from the south Lodi area to the north Lodi area, due to expanded businesses bringing in more problems to the Lodi area, and voiced concern over the expanded growth causing the crime rate to increase and causing the City to charge higher fees for Lodi services.
- b) Walter Pruss, 2421 Diablo Drive, Lodi, requested staff look into the possibility of shrubs or decorative bushes being planted on the large dirt mound at Lower Sacramento Road near Sergeant Road.

18. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- a) Council Member Davenport thanked everyone for coming to the meeting, and commented on the following; 1) that everyone remain ever mindful of gangs, noting a recent newspaper article by Dee Porter (GAP), which is helpful and educates neighbors and citizens about gangs; 2) requested a brief report from the City Attorney regarding California Youth Soccer Association (CYSA), to which Mr. McNatt stated the project is moving forward well and the first draft lease has been received with revisions; 3) mentioned Council's recent discussion of a City newsletter announcing services and upcoming events, and suggested it could be used as an avenue of communication on CYSA, city hall move and remodel information, Boys & Girls Club information, etc.; 4) advised that the Westgate Park residents, through a petition of residents provided by Mrs. Carol Sorensen, have expressed concerns regarding the park and ball diamond, opposing Council's January decision, and requested this be brought back to Council at a future meeting; 5) commented on the American Bungalow event sponsored by the East Side Improvement Committee, stating it is a worthwhile program and he will continue to support their efforts; 6) remarked his pleasure at learning Judge Baysinger did not award damages against the property owner for a recent drug lab/cleanup and deferred those costs; 7) received a letter recently regarding the Hotel Lodi, and would like to see it restored as a hotel with a parking area and city recreation center; 8) remarked on the importance of Council participating in the selection and hiring of professional auditors and department heads; 9) the Memorandum of Understanding for Electric Department is approved and available for review; 10) the 1994 Annual Fire Report is available for citizen review, and a copy should be placed at the Library; 11) the City should have a policy book to include sidewalks, setting of fees, and all things which are City of Lodi policy, which may solve problems by informing citizens ahead of time of City policies; and 12) a bid for alarms for the new City facilities (due to the move) had a short deadline, a sole bidder, and the specifications may have been written by the group that won the bid which would be a conflict of interest and unfair, and asked staff for bid specifications and information. (Mr. Ronsko explained to Council that he prepared the specifications for the bid.) (Further, Mayor Mann checked the bid process at the request of a citizen, and found the process to be quite in order, and has returned a call to the citizen to report his findings.)

FILE NO. CC-2(h), CC-2(s) and CC-6

373

- b) Council Member Sieglock thanked Mr. Johanson for taking the time to share his thoughts under public comments, and remarked on the following: 1) reminded Council Member Davenport that Council participated in the auditor selection through Mayor Mann; 2) congratulated the East Side Improvement Committee for their American Bungalow program and encouraged their continued hard work; 3) noted his pleasure at the recent decision of the Recreation Commission regarding Westgate Park and Master Plan revisions; 4) voiced concern toward the conversion of the women's jail in Stockton to a

men's jail, and asked Council to concur with his recommendation that the City Attorney prepare a resolution for approval at the next meeting outlining Lodi City Council's concerns and opposition to this project; and 5) asked for Council concurrence in seeking outside advise with regard to electric utility deregulation and the effects on municipally owned utilities such as Lodi.

FILE NO. CC-2(h), CC-2(s) CC-6 and CC-51(d)

- c) Council Member Pennino requested follow-up information on his proposal for procedure revision with regard to the consent calendar. (City Attorney McNatt advised that no other Council Members, having received the information on possible revisions to the agenda format, indicated interest in pursuing the matter.) Further, Mr. Pennino remarked on the following: 1) he had a recent conversation with investors regarding Hotel Lodi and their concerns over parking availability; 2) inquired as to the health of Building Maintenance Superintendent Dennis Callahan (Public Works Director Ronsko assured Mr. Pennino that Mr. Callahan was fine and had returned to work on a modified full-time schedule); and 3) asked that staff check on status of a light signal at the intersection of Vine Street and Lower Sacramento Road.

FILE NO. CC-1(a) and CC-48(h)

- d) Council Member Warner remarked on the following: 1) recently attended the Wine Show, a great and enjoyable activity; 2) congratulated the East Side Improvement Committee on a very successful American Bungalow program; 3) announced Omega Nu's fund-raiser, Shoot Scootin' Blackjack, to be held on Saturday, April 8, 6pm to midnight at the Festival Pavilion, the majority of proceeds being donated to the Police Partners Program, and encouraged those interested in attending to contact an Omega Nu member for tickets; 4) encouraged all citizens and business owners to contact Council with comments, both negative and positive, with regard to the Downtown and Cherokee Lane Revitalization; 5) recently received a letter from Gwen Mitchell, and will actively encourage the Lodi Art Center, Tokay Players, Lodi Recreation Center and Chamber of Commerce to locate in the downtown area; and 6) spoke in support of City Hall being open 1 night per month until 7 or 7:30 pm for those citizens who cannot complete their business with the City during regular business hours.

FILE NO. CC-2(s), CC-6, CC-7(p), CC-400

- e) Council Member Mann commented on this week's Business Summit with 15 business leaders participating in evaluating the City of Lodi, and the betterment on impacting their businesses. Several positive comments and ideas were received, including one specific concern, directed to staff with Council concurrence, requesting attention to fire codes and a review of the codes. Mayor Mann further commented that RES, who chose Lodi as their business site over several options and brought close to 100 jobs to this city, recently opened their doors for a tour and reception.

374

April 5, 1995 Continued

19. CLOSED SESSION

- a) Threatened Litigation - State of California v. City of Lodi (PCE Contamination)
- b) Pending Litigation - City of Lodi v. Ramsey/Preszler
- c) Update on Purchase of Beckman Building
- d) Council Direction in Regard to City Manager Recruitment [Government Code Section 54954.5(e)]

20. RETURN TO OPEN SESSION / DISCLOSURE OF ACTION

Threatened Litigation - State of California v. City of Lodi (PCE Contamination)

No final action was taken on the matter.

Pending Litigation - City of Lodi v. Ramsey/Preszler

No final action was taken on the matter.

Update on Purchase of Beckman Building

No final action was taken on the matter.

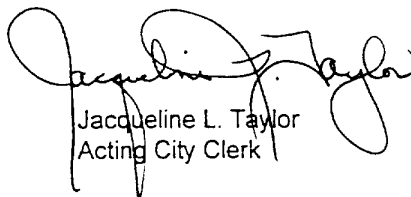
Council Direction in Regard to City Manager Recruitment [Government Code Section 54954.5(e)]

No final action was taken on the matter.

21. ADJOURNMENT

There being no further business to come before the City Council, Mayor Mann adjourned the meeting at approximately 1:05 a.m.

ATTEST:


Jacqueline L. Taylor
Acting City Clerk